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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **TANAKA, Kazuya, et al.**

Group Art Unit: **4171**

Serial No.: **10/531,952**

Examiner: **LACLAIR, Darcy D.**

Filed: **January 20, 2006**

P.T.O. Confirmation No.: 4301

For: **RESIN COMPOSITION AND MOLDED ARTICLES FORMED THEREFROM**

RESPONSE TO THE RESTRICTION REQUIREMENT DATED April 15, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: May 14, 2008

Sir:

This paper is submitted in response to the Official Action dated **April 15, 2008**.

In the Action, restriction was required among Group (I), Claims 1 and 3-8, 13 and 14; Group (II), Claim 2-8, 13 and 14; and Group (III), Claims 7-14.

Applicants hereby elect the subject matter of Group (II), Claims 2 - 8, 13 and 14 for prosecution in this application. This election is made with traverse, it being understood that the applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 USC 120 and 35 USC 121 are retained.

In the Office Action, it was asserted that the inventions listed as Groups I - III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features. It is submitted that the claims of Groups I - III do not represent separate and distinct inventions, but rather are different embodiments of a single inventive concept involving combinations containing a lactic acid resin. Applicants respectfully submit that the premise on which the Examiner relies simply has no basis

in fact and cannot therefore legitimately be used to support the position that the claims of Groups I - III represent separate and distinct inventions.

In summary, it is submitted that the three groups designated by the Examiner are closely interrelated and in order to preserve unity of invention, all the groups should be prosecuted in the same application. An important advantage in pursuing just one application is that the examining effort of the Patent and Trademark Office would thereby be simplified inasmuch as much duplication of searching effort would be eliminated. In view of the foregoing remarks, it is respectfully requested that the Examiner withdraw the requirement for restriction and allow claims 1-14 to be prosecuted in the same application.

In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

In the event any additional fees are required in connection with this response, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

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